

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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OAK-JIN OH,

Plaintiff,

Case No.: CV 11-3764
(DLI)(MDG)

- against -

SOO BOK CHOI (a/k/a Hye Sung Choi),
SUNG BOK CHOI, KYUNG BOK CHOI,
YOUNG ILCHOI, YOUNG JIN CHOI,
YOUNG MI CHOI, and THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF
KI SOON LEE,

Defendants.

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**DEFENDANTS' MOTION FOR VOLUNTARY DISMISSAL OF
COUNTERCLAIM**

Appearing Defendants Soo Bok Choi, Kyung Bok Choi, Young Il Choi, Young Jin Choi, and Young Mi Choi (collectively the "Defendants") move the Court pursuant to Fed. R. Civ. P. 41(c) for voluntary dismissal without prejudice of their counterclaims against Plaintiff Oak-Jin Oh (the "Plaintiff"). Plaintiff commenced this action on August 3, 2011 and amended her complaint in November, 2011. The three Appearing Defendants, Soo Bok Choi, Young Il Choi, Young Jin Choi, each filed answers to the First Amended Complaint on December 8, 2011. In April, Plaintiff served Defendants Kyung Bok Choi and Young Mi Choi. At the June 26 Conference, the Court extended the time for the two Defendants Kyung Bok Choi and Young Mi Choi to respond to Plaintiff's complaint through July 10, 2012.

On July 10, 2012, Kyung Bok Choi and Young Mi Choi filed their Answer and Counterclaims on behalf of all Defendants seeking monetary relief.

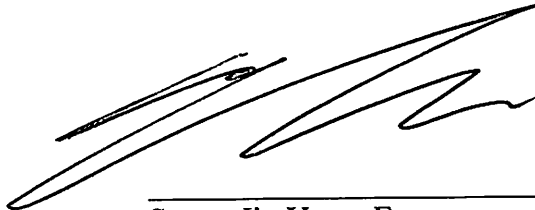
On July 20, 2012, Plaintiff filed Notice of Motion to Dismiss Counterclaims and to Strike the Final Sentence of Paragraph 23 of Defendants' Counterclaims.

Pursuant to Fed. R. Civ. P. 41(c), Defendants now seeks to voluntarily dismiss their counterclaims against Plaintiff without prejudice.

Accordingly, Defendants request that their Counterclaims be dismissed without prejudice.

Respectfully Submitted,

Dated: July 23, 2012

A handwritten signature in black ink, consisting of several fluid, overlapping strokes, positioned above a horizontal line.

Seung-Jin Yang, Esq.
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